

## Article - Health - General

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§19-1812.

(a) Except as provided in subsections (g) and (h) of this section, the Department shall require that each assisted living program facility that provides services to 50 or more individuals have an emergency electrical power generator on the premises.

(b) The Department shall require that each facility provide emergency electrical power as provided in this section.

(c) (1) The emergency power source shall be a generating set and prime mover located on the facility premises with automatic transfer.

(2) An emergency power system shall meet the following requirements:

(i) In the event of failure of the normal electric service, the emergency electrical power shall be activated immediately;

(ii) The emergency generator set shall come to full speed and load acceptance within 10 seconds; and

(iii) The emergency generator shall have the capability of 48 hours of operation from fuel stored on-site.

(3) (i) The emergency power system shall be tested one time each month.

(ii) The emergency power system test shall require that the generator be exercised for a minimum of 30 minutes under normal emergency facility connected load.

(iii) The test shall be recorded in a permanent log book maintained for that purpose.

(d) The emergency power system shall provide lighting in the following areas of the facility:

(1) Areas of egress and protection as required by the State Fire Prevention Code and Life Safety Code 101 adopted by the State Fire Prevention Commission;

(2) Nurses' station;

(3) Drug distribution station or unit dose station;

(4) An area for emergency telephone use;

(5) Boiler or mechanical room;

(6) Kitchen;

(7) Emergency generator location and switch gear location;

(8) Elevator, if operable on emergency power;

(9) Areas where life support equipment is used;

(10) If applicable, common areas or areas of refuge; and

(11) If applicable, toilet rooms of common areas or areas of refuge.

(e) Emergency electrical power shall be provided for the following:

(1) Nurses' call system;

(2) At least one telephone in order to make and receive calls;

(3) Fire pump;

(4) Sewerage pump and sump pump;

(5) If required for evacuation purposes, an elevator;

(6) If necessary, heating equipment needed to maintain a minimum temperature of 70 degrees Fahrenheit (24 degrees Celsius) in all common areas or areas of refuge;

(7) Life support equipment; and

(8) Nonflammable medical gas systems.

(f) (1) If the emergency power system does not provide heat to all patient rooms or toilet rooms in the event of a loss of electricity from the main source of power, the facility shall provide common areas or areas of refuge for all patients.

(2) The Department shall adopt regulations regarding the requirements for designating parts of the facility as common areas or areas of refuge.

(g) An assisted living program facility shall be exempt from the requirements of this section if the facility can safely transfer residents through an enclosed corridor to a building that is equipped with an electrical power generator that satisfies the requirements of this section.

(h) (1) The Department may grant a facility a waiver from the requirements of this section if the facility:

(i) Provides evidence to the Department that the requirements of this section will create an undue financial burden on the facility and will require the facility to cease operation; and

(ii) Discloses to the residents of the facility that the facility does not have an emergency electrical power generator that meets the requirements of this section.

(2) Subject to paragraph (3) of this subsection, a waiver granted under paragraph (1) of this subsection may not exceed a period of 3 years.

(3) The Department may extend a waiver granted under paragraph (1) of this subsection for an additional period of 2 years beyond the period specified in paragraph (2) of this subsection.

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